

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
TUESDAY, NOVEMBER 1, 2005 AT 9:00 A.M.
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meetings, adopted on February 28, 2005, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken on Monday, October 31, 2005, during the 2:00 p.m. Council meeting.**

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

CS-1 In Re: SEC Investigation into City Bond and Disclosure Practices

ACA assigned: D. McGrath

Morgan Lewis and Bockius will report on matters pertaining to investigation of the City's financial and pension difficulties. As directed by City Council in closed session, Kroll Inc., will attend the November 1 closed session to respond to questions from Morgan Lewis and Bockius pertaining to matters related to the investigation of the City's financial and pension difficulties.

Conference with Legal Counsel - anticipated litigation - initiation of litigation, pursuant to California Government Code section 54956.9(c):

CS-2 Transient Occupancy Tax

DCA assigned: D. Shanahan

In closed session, the City Attorney will seek authority to pursue a lawsuit against multiple web booking companies to recover the Transient Occupancy Tax collected by the subject companies. The taxes actually collected by the web booking companies are returned by them and are not, as required by the SDMC, remitted to the City of San Diego.

Conference with Real Property Negotiator, pursuant to California Government Code section 54956.8:

CS-3 Property: Qualcomm Stadium

City Negotiator: TBA

Negotiating Party City of San Diego and the San Diego Chargers

Under Negotiation Lease

ACA assigned: D. McGrath

In closed session the City Attorney will recommend to the City Council the formation of a negotiating team consisting of the City Attorney, a Councilmember, or designee, and outside counsel to begin meeting with the San Diego Chargers to discuss their Qualcomm lease. Also the City Attorney will recommend that the City retain attorney and sports consultant Paul Jacobs for his expertise in this area.